

To: TDEC.Appeals[TDEC.Appeals@tn.gov]

From: Ex. 6 Personal Privacy (PP)

Sent: Fri 12/18/2020 12:48:27 AM (UTC)

Subject: [EXTERNAL] Byhalia Oil Pipeline Appeal

To Whom It May Concern,

The appropriate steps are not listed that will ensure that petroleum products and other chemical pollutants will not enter the waters relating to the Byhalia Oil Pipeline project. The intent to prevent this could be the plan by Plains All American but state tax paying citizens should know what those steps will be to prevent this disastrous event. Moreso, for plant mitigation regarding soil bioengineering, is there reasonable availability in the correct quantity and is the possibility of success known?

Lake McKellar will also be crossed for the construction of this project. This lake contains 3 endangered species and 1 threatened species (Mvm-2019-270-MemphisDistrict-Army.Mil). These include the interior least tern (*Sterna antillarum* athalassos), pallid sturgeon (*Scaphirhynchus a/bus*), Indiana bat (*lvfyotis soda/is*), northern long-eared bat (*Myotis septentrionalis*). TDEC should not allow these to be interrupted. The mitigation of said species would create a huge risk for the survival of this habitat. This will have significant adverse environmental consequences, consequences that TDEC says they want to avoid. Due to this, the application should be denied.

The species mentioned above were not in the permitting application though this lake will be crossed for the oil pipeline. According to Section 7 of the Endangered Species Act of 1973, it requires Federal and State agencies to ensure "that any action authorized, funded, or carried out is not likely to jeopardize the continued existence of any listed species or result in the destructive or adverse modification of (critical) habitat. (Mitigation Measures for Threatened and Endangered Species, TR Boss, 1993)

This project should not be approved based on the above facts.

Sincerely,

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